

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)**

Docket No.
840.052.203

In Re Application Of: **WHITEHOUSE, ET AL.**

Application No. 09/901,428	Filing Date 7/9/01	Examiner Kiet T. Nguyen	Customer No. 04617	Group Art Unit 2881	Confirmation No. 8546
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Invention: **MULTIPOLE ION GUIDE MASS SPECTROMETRY.....**

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COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **08/17/2004** finally rejecting Claim(s) **99 and 115**

Applicant is a small entity under 37 CFR 1.9 and 1.27.

Applicant claims small entity status. See 37 CFR 1.27

The fee for this Notice of Appeal is: **\$250.00**

- A check in the amount of the fee is enclosed.
- The Director has already been authorized to charge fees in this application to a Deposit Account.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **02-2105**
- Payment by credit card. Form PTO-2038 is attached.

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Peter L. Berger
Signature

Dated: **Feb. 10, 2005**

**Peter L. Berger, Esq. (Reg. No. 24,570)
Levisohn, Berger & Langsam, LLP
805 Third Avenue, 19th Floor
New York, New York 10022
Phone (212) 486-7272
Fax (212) 486-0323**

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____

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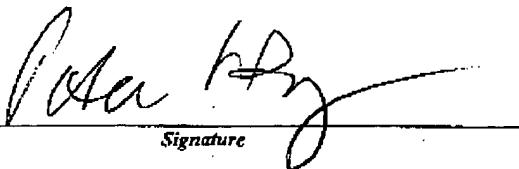
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